

The attempted bombing in New York City's Times Square by Faisal Shahzad, a naturalized American citizen who was born in Pakistan, was a stark reminder of the threats our nation faces every day. It is currently unclear how extensive this terrorist plot was, but Administration officials have indicated that Shahzad recently visited Pakistan for five months and received terrorist training there. By all accounts, hundreds of people could have been killed if Shahzad had greater knowledge about the explosives he tried to use and a vigilant local street vendor had not informed police about the fuming vehicle.

I commend U.S. law enforcement for identifying and detaining Shahzad in just over two days. But there are a number of questions that must be answered. First and foremost, our intelligence and law enforcement communities must analyze their work to determine whether they missed signs about this planned attack. Like the attempted terrorist attack on Christmas Day 2009, our nation dodged this latest planned assault on our homeland because of the incompetency of the terrorists, not because law enforcement detained the suspects before they attempted their attacks. Relying on good fortune is not an adequate strategy in the continuing war against radical jihadists. Second, it is deeply troubling that Shahzad was able to board an aircraft to flee the United States after being placed on the no-fly list earlier that day. The communication gap between homeland security officials and airport personnel is simply unacceptable. Third, I believe the Administration's decision to offer Miranda rights to Shahzad only hours after detaining him reflected its clear tendency to view terrorism as a matter of criminal law. Importantly, U.S. law enforcement are allowed to postpone offering these rights—even to U.S. citizens—if they feel the public safety is under immediate threat. Considering how little we know about Shahzad, his ties to the Taliban, and his possible network in our nation, I question the timing of the Justice Department's decision to offer Miranda rights to him.

I also believe that the attempted terrorist attack in Times Square is a clear signal that the trial of 9/11 mastermind Khalid Sheikh Mohammed should not be held in New York City. Trying Khalid Sheikh Mohammed in our nation's largest city would further incite terrorists to unleash another attack there, and require already stretched law enforcement personnel to devote substantial resources on securing the court and its surroundings. The people of New York are already under constant threat and there is absolutely no reason to needlessly subject them to even greater danger. I continue to call on President Obama to move the trial off of American soil and back to the detention facility at Guantanamo Bay, Cuba.